

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JS HALBERSTAM IRREVOCABLE)
GRANTOR TRUST, on Behalf of Itself and)
All Others Similarly Situated,)
)
Plaintiff,)

v.)

SUPREME INDUSTRIES, INC., MARK D.)
WEBER, HERBERT M. GARDNER, PETER)
D. BARRETT, WILLIAM J. BARRETT,)
EDWARD L. FLYNN, ARTHUR J.)
GAJARSA, THOMAS B. HOGAN, JR.,)
MICHAEL L. KLOFAS, MARK C.)
NEILSON, and WAYNE A. WHITENER,)

Defendants.)

Case No. 17-cv-01226-GMS

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)

WHEREAS, on August 29, 2017, plaintiff commenced this action alleging defendants violated Sections 14(d), 14(e) and 20(a) of the Securities Exchange Act of 1934;

WHEREAS, subsequent to the filing of this action defendants took steps that mooted the claims asserted in plaintiff's complaint (the "Mooting Actions");

WHEREAS, as part of the agreement with defendants to obtain the Mooting Actions, plaintiff agreed to dismiss this action with prejudice as to himself and without prejudice to the putative class;

WHEREAS, plaintiff believes that, as a result of the Mooting Actions, he has conferred a common corporate benefit on the stockholders of defendant Supreme Industries Inc. such that his counsel are entitled to seek and recovery attorneys' fees and expenses (the "Fee and Expense Claim");

WHEREAS, counsel for plaintiff and defendants have conducted negotiations and

successfully resolved the Fee and Expense Claim; and

WHEREAS, no class has been certified;

NOW, THEREFORE, PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 41(a)(1)(A), plaintiff Joseph Tola and his counsel hereby give notice that the above-captioned action is voluntarily dismissed, with prejudice as to plaintiff and without prejudice as to all other members of the putative class. Defendants have filed neither an answer nor a motion for summary judgment in the Action. Except as otherwise agreed, each party shall bear its own costs.

Dated: October 13, 2017

RIGRODSKY & LONG, P.A.

By: /s/ Brian D. Long

Brian D. Long (#4347)
Gina M. Serra (#5387)
2 Righter Parkway, Suite 120
Wilmington, DE 19803
Telephone: (302) 295-5310
Facsimile: (302) 654-7530
Email: bdl@rl-legal.com
Email: gms@rl-legal.com

OF COUNSEL:

WEISSLAW LLP

Richard A. Acocelli
Michael A. Rogovin
Kelly C. Keenan
1500 Broadway, 16th Floor
New York, NY 10036
Telephone: (212) 682-3025

Attorneys for Plaintiff